

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

February 15, 2022

1:00 p.m.

MEMBERS PRESENT

Representative Chris Tuck, Chair
Representative Andi Story
Representative Geran Tarr
Representative Matt Claman

MEMBERS ABSENT

Representative George Rauscher
Representative Laddie Shaw
Representative David Nelson

COMMITTEE CALENDAR

PRESENTATION: OATH KEEPERS INFORMATIONAL HEARING

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

SAM JACKSON, PhD, Assistant Professor
College of Emergency Preparedness, Homeland Security, and
Cybersecurity
University of Albany
Albany, New York

POSITION STATEMENT: Provided a PowerPoint presentation,
entitled "Oath Keepers."

MATTHEW KRINER, Senior Research Scholar
Center on Terrorism, Extremism, and Counterterrorism
Middlebury Institute of International Studies at Monterey;
Managing Director
Accelerationism Research Consortium
Monterey, California

POSITION STATEMENT: Provided a PowerPoint presentation entitled
"The Oath Keepers' Warped Patriotism: Political Violence and
Insurrection."

ACTION NARRATIVE

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CHAIR CHRIS TUCK called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:00 p.m. Representative Tuck was present at the call to order. Representatives Story, Tarr, and Claman arrived as the meeting was in progress.

Presentation: Oath Keepers Informational Hearing

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CHAIR TUCK announced that the only order of business would be the Oath Keepers Informational Hearing presentation.

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SAM JACKSON, PhD, Assistant Professor, College of Emergency Preparedness, Homeland Security, and Cybersecurity, University of Albany, provided a PowerPoint presentation, entitled "Oath Keepers" [hard copy included in committee packet]. He provided background about the Oath Keepers, which is an organization, formed in 2009, and led by Stewart Rhodes, one of the 11 members charged with seditious conspiracy. Oath Keepers is part of the patriot militia movement and is organized around a perception that government is or will soon be tyrannical. Those within the movement encourage others they consider to be patriots to be ready to resist the government, perhaps using violence. They claim to be a non-partisan organization with a benign purpose to encourage current and former members of law enforcement and the military to honor their oaths. There is an emphasis on law enforcement and military individuals, but the organization is made up of people outside these professions, as well. Events the group has been involved with leading up to and including the insurrection are outside the scope of their supposed mission and involve members being heavily armed and creating volunteer security in public.

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DR. JACKSON responded to Representative Tuck and clarified that by defining themselves as "non-partisan" they would be considered a "civic" group, as opposed to an advocacy organization.

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DR. JACKSON said that Oath Keepers promoted the idea of widespread, systematic voter fraud. They encouraged members with special forces reconnaissance training to undertake covert surveillance of polling places to monitor voter fraud. Between 2016 and 2020, they were involved in street clashes where they depicted themselves as fighting against supposed left-wing extremist groups, like ANTIFA and Black Lives Matter. Members of the organization would equip themselves with body armor and weapons and engage in violence. The Oath Keepers are the most prominent organization that has faced scrutiny for actions on January 6, 2021, in Washington D.C. when several members of the organization invaded the U.S. Capitol and planned aggressive and criminal activity in the days and weeks leading up to the insurrection.

DR. JACKSON mentioned that the Oath Keepers have claimed to have 30,000 dues-paying members. Watchdog organizations have estimated that less than 5,000 members were active at any given time, although the organization has had a large support base outside its paid memberships. Prior to being banned by Facebook, they had hundreds of thousands of likes and followers.

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DR. JACKSON responded to a question from Representative Claman and answered that the national organization is primarily responsible for driving communications, propaganda, and branding for the organization. State organizations have autonomy to decide what activities to engage in. Individuals may be members of state or national or both. Some states have formed new chapters, some particularly active state chapters may have stronger ties with the national organization leadership. Some state and local chapters have recently disassociated themselves from the national organization.

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DR. JACKSON mentioned that the Oath Keepers have long-promoted conspiracy theories. Jade Helm 15 was a large-scale military exercise that occurred in Summer 2015 involving members of special forces in the military. It was a long-planned and recurrent exercise that was interpreted by the far right as a dry run for martial law or as the start of the implementation of tyranny. They also tapped into conspiracy theories involving

international organizations like the United Nations. They see environmentalism as a conspiracy of elites. Agenda 21 is a nonbinding environmental agreement organized by the United Nations and is viewed by the Oath Keepers as a way of depopulating the West to force Americans to move into urban areas where they will be easier to control. The Oath Keepers believe in an ongoing conspiracy that the Federal Government would travel door-to-door to confiscate legally owned firearms.

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DR. JACKSON said that the Oath Keepers were nominally in favor of the Black Lives Matter movement at its start in 2014 in terms of protesting police brutality and militarization of the police. Oath Keepers have since proven themselves to be unsupportive of Black Lives Matter and by 2016 claimed that the movement was an international conspiracy, a global communist insurgency, and an international terrorist organization.

DR. JACKSON said that Stewart Rhodes has long argued that martial law would be how government would infringe upon the rights of those who dissented from government. By 2020, he specifically called on the government to use martial law to violate the rights of Americans who dissented from government. This pivot in the perspective on martial law highlights the increasing engagement with radicalism, conspiracy theories, and violence that the Oath Keepers have increasingly adopted over time.

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DR. JACKSON defined popular constitutionalism and popular nullification, which are concepts developed by historians to describe how Americans react, interpret, or act in correspondence with what they've seen. Popular constitutionalism is the idea that people think they are above and beyond the U.S. Supreme Court's interpretation of laws. Popular nullification is the idea that individuals are legally and politically empowered to decline to comply with any law that they view as unconstitutional regardless of legal decisions indicating otherwise. An example of nullification in action is the support for noncompliance with COVID-19 pandemic mitigation policies. "County Supremacy" is the idea that the county sheriff is the highest law enforcement authority in a county with the legal right and obligation to prevent federal law enforcement action that the sheriff sees as unconstitutional regardless of a court order.

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DR. JACKSON gave an example of county supremacy in Riverside County, California, where the Sheriff Chad Bianco, a former member of the Oath Keepers, declared he would not enforce vaccine mandates for his staff. The Sheriff said, "The government has no ability and no authority to mandate your health choices." He also described himself as "the last line of defense from tyrannical government overreach." These are examples of rhetoric used by the sheriff to position himself as the defender of rights, while simultaneously engaging in actions that make violence more likely. Oath Keepers regularly attempt to use rhetoric to justify the possible use of violence by couching it in defensive language.

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DR. JACKSON said that Oath Keepers have a worldview driven by conflict between good and evil. They believe that any disagreement is the result of nefarious action by evil-intentioned elites. Rather than recognizing that some bad outcomes are the result of a complex convergence of a wide range of factors, they see all bad outcomes as the result of a nefarious plan by evil elites.

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DR. JACKSON said it is problematic to have Oath Keepers in public roles. He gave the example of sheriffs deciding for themselves which laws to enforce based on whatever they think the constitution says or means. It is problematic if policy makers adopt a worldview that is driven by conspiracy and conceptions of unavoidable violent conflicts behind everyone who doesn't agree with them.

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DR. JACKSON, in response to Representative Tarr, said it is fair to say that a robust understanding of popular constitutionalism empowers individuals to interpret the constitution with more authority than the Supreme Court. This has strong implications that undercut due process and the Rule of Law. If individuals decide for themselves what the constitution means, other than through interpretation by law experts within the courts, they will operate under different understandings of the law, and that is extremely problematic.

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DR. JACKSON, in response to Representative Story, said that Oath Keepers promote firearms as a means for Americans to protect their rights.

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MATTHEW KRINER, Senior Research Scholar, Center on Terrorism, Extremism, and Counterterrorism, Middlebury Institute of International Studies at Monterey; Managing Director, Accelerationism Research Consortium, said that he would speak about the Oath Keepers warped patriotism and how that has contributed to political violence and ultimately their role in the January 6, 2021, insurrection. He described the Oath Keepers as an anti-government, anti-authority, right-wing extremist organization. They style themselves as the "Guardians of the Republic" and are fixated on alleged tyranny and social collapse. They are driven by conspiracy theories like the idea that there is a "deep state" or a secret hidden force that seeks to exploit the American people, and that Donald Trump was a key figure in pushing back against the "deep state." He said that the Oath Keepers are not explicitly racist, fascist, or neo-Nazi, however there are individuals within the Oath Keepers who have racist tendencies.

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MR. KRINER said that Oath Keepers engage in political activism and spread misinformation specifically on Alex Jones' show "Info Wars." They also engage in paramilitary activities.

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MR. KRINER detailed the phases the Oath Keepers have gone through over the years. The stand-off phase involved responding to sociopolitical dynamics in communities and in ideological ways that weren't consistent with their founding phase. They were concerned with federal government overreach and had fears of tyranny. During the 2016 election phase, the Oath Keepers latched onto the "Make America Great Again" movement. They became a regular fixture at President Trump's rallies. Their fears over leftist behaviors and conspiratorial outlooks were amplified.

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MR. KRINER read a quote by Stewart Rhodes which said, "It's the right of the people to abolish it to institute such new government as they think is necessary or reform it. It's the people's obligation." The actions of the Oath Keepers demonstrate that they believe they have the right to violently take back what they believe is the proper governance.

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MR. KRINER mentioned that while the Oath Keepers are not a racist group, they do overlap with extremist entities like the "Three Percenters," the Constitutional Sheriffs and Peace Officers Association (CSPOA), and March Against Sharia. He said Charles Dyer is a concerning individual who was an Oath Keeper who said "Join the military? Depends on what you want to do with it. Me? I'm going to use my training and become one of those domestic terrorists that you're so afraid of from the DHS reports." He wears a skull mask which is a symbol for societal collapse narratives across the far-right.

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MR. KRINER mentioned the perception bolstered by Stewart Rhodes and others that America is currently involved in a civil war, or about to be in a civil war, and that action is necessary to prevent it. This is similar to the beliefs of neo-fascist accelerationists who believe that these circumstances present opportunities to hasten the cultural collapse of society to institute a new system of government. On November 5, 2020, Mr. Rhodes said, "We aren't getting through this without a civil war. Too late for that. Prepare your mind, body, spirit." This perception grew considerably during the ramp up to January 6, 2021.

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MR. KRINER said Stewart Rhodes and other Oath Keepers generated civil war fear mongering through implicit threats toward different levels of government over time.

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MR. KRINER talked about former Oregon State Representative Mike Nearman who was expelled for orchestrating armed demonstrators' access to the locked-down Oregon Capital during the anti-lockdown protest. This led to clashes between demonstrators and

law enforcement wherein officers were assaulted physically and with mace. This event was dubbed "Operation Hall Pass" and, upon investigation, involved advanced planning of the event. Mr. Kriner talked about Washington State former Representative Matt Shea who was expelled for acts of domestic terrorism and anti-government militia activity. He attended and supported the Bundy Ranch stand off with the "Three Percenters," attended and supported the Malheur Refuge occupation, and was associated with the Oregon Oath Keepers chapter.

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MR. KRINER discussed the insurrection. There have been 737 arrests to date: 92 individuals were affiliated with domestic violence extremist groups like the Proud Boys and the Three Percenters; 26 Oath Keepers are included in the arrests; Mr. Rhodes and 10 Oath Keepers were charged with seditious conspiracy.

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MR. KRINER concluded by reading slide 15, which said that "if there was any doubt before, the reality of Rhodes and the Oath Keepers has been exposed. They are not the 'guardians of the republic' that they purport to be in their recruitment drives and on their website. Instead, they have weaponized patriotism in an effort to subvert American democracy." They are willing to engage in violence to carry out their personal beliefs.

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MR. KRINER, in response to Representative Tarr, said that currently the 2022 evaluations are not exclusive to the Oath Keepers. Federal activity has limited official action of the Oath Keeper organizations and state chapters. The legacy of the Oath Keepers will likely live beyond Stewart Rhodes' prison sentence. In response to Chair Tuck, who asked about how the organization is run, he noted that the status is vague due to ongoing legal challenges. He deferred to Dr. Jackson.

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DR. JACKSON said there has long been a board of directors for the Oath Keepers organization. Upon launch, Stewart Rhodes registered the Oath Keepers in Nevada. The board of directors was hand chosen by Mr. Rhodes. There doesn't seem to be a process to establish a new leader. Mr. Rhodes' status as

president-for-life was written into the bylaws. The only way he can be removed is through resignation or removal due to incompetence as deemed by the board of directors.

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DR. JACKSON said there has not been a case filed in reference to the group, but rather cases for the individual Oath Keepers involved directly with activities on January 6, 2021. Currently, investigation details are not publicly available.

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MR. KRINER, in response to Representative Story, said that actions by the organization, individual chapters, or individuals can lead to a loss or gain of membership. Individuals who assign sympathy to the Oath Keepers say with their actions that they are comfortable with the actions taken on January 6, 2021.

DR. JACKSON added that journalists have shown that some have renounced the Oath Keepers, while others have joined or renewed membership explicitly after January 6, 2021. Some have engaged in conspiracy theories to reject the role of Oath Keepers in the insurrection despite the overwhelming evidence.

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REPRESENTATIVE TARR mentioned that another Alaska State Representative was present at the January 6 insurrection.

MR. KRINER said that January 6 is not a barometer of undemocratic actions and not necessarily the best way to judge whether individuals are a threat to democracy and the legislature. He clarified that the expelled state representatives mentioned earlier were removed from office prior to January 6, 2021.

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MR. KRINER, in response to Representative Tarr, surmised that Stewart Rhodes ego was important in the formation of the Oath Keepers.

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MR. KRINER, in response to Representative Claman, discussed what constitutes a membership of the Oath Keepers.

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DR. JACKSON mentioned that there have been some cases of Oath Keepers who have severed ties. Scholars of extremism and terrorism make the distinction between disengagement and deradicalization. Disengagement refers to a behavioral change where a person stops participating in extremist or terrorist activities or chooses not to maintain membership with an extremist organization. Deradicalization is where a person rejects the ideas that underlie the initial involvement.

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DR. JACKSON, in response to Representative Tuck, said that Oath Keepers had wallet cards to affirm membership to the organization. There is sometimes an informal oath ceremony where members who are not part of law enforcement, military, or first responder organizations can recite a military oath.

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ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 2:43 p.m.